



What's New 2011

Virginia's Sentencing Guidelines



4 Main Changes to Virginia's Sentencing Guidelines

Effective July 1, 2011

1

Felony convictions for failing to register with, or providing false information to, the Sex Offender and Crimes Against Minors Registry are covered by guidelines for any defendant sentenced on or after July 1, 2011.

2

The Miscellaneous worksheet has been split into two groups: Person & Property and Other. This split will not modify the sentencing guidelines recommendation for any offender.

3

A new rule requires that when there are multiple mandatory minimums in a sentencing event, the preparer must assume that the sentences run consecutive to one another when entering the guidelines recommendation.

4

A legislative change to § 17.1-805 removes possession of a firearm on school property, a violation of § 18.2-308.1(B), and a third or subsequent misdemeanor conviction under this statute from the list of Category I/II (violent) offenses.



VIRGINIA SENTENCING GUIDELINES

VIRGINIA CRIMINAL SENTENCING COMMISSION



Felony convictions for failing to register with, or providing false information to, the Sex Offender and Crimes Against Minors Registry are covered by guidelines for any defendant sentenced on or after July 1, 2011.



Three New Guidelines Offenses

For Offenders Sentenced on July 1, 2011 and After

- Users will find the following offenses on the Miscellaneous/Other worksheet beginning with offenders sentenced on or after July 1, 2011.*
 1. Violent sex offender who fails to register or provides false information to the Sex Offender & Crimes Against Minors Registry
 - **§ 18.2-472.1(B)**
 - SOR-3657-F6
 2. Violent sex offender who fails to register or provides false information to the Sex Offender & Crimes Against Minors Registry - 2nd or Subsequent Offense
 - **§ 18.2-472.1(B)**
 - SOR-3660-F5
 3. Other offender or sex offender who fails to register or provides false information to the Sex Offender & Crimes Against Minors Registry
 - 2nd or Subsequent Offense
 - **§ 18.2-472.1(A)**
 - SOR-3659-F6

* The next topic introduces the revised Miscellaneous worksheet.

Miscellaneous/Other Section A

Primary Offense

A. Perjury, falsely swear an oath (1 count)	1
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	2
C. Violent sex offender, fail to register or provide false information (1 count)	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	2
E. Failure to appear in court for felony offense	
1 count	
2 counts	
F. Escape from correctional facility (1 count)	
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	
H. Participation in offense by/for gang (1 count)	
I. Participation in offense by/for gang with juvenile member (1 count)	

Primary Offense Additional Counts

Years:	5 - 7	
	8 - 18	
	19 - 28	
	29 - 38	
	39 or more	

Additional Offenses

Years:	Less than 1	
	1 - 7	
	8 - 18	
	19 - 28	
	29 - 38	
	39 or more	

Victim Injury

Miscellaneous/Other Section C

Primary Offense

Prior Record Classification
☐ Category I ☐ Category II ☐ Other

A. Perjury, falsely swear an oath (1 count)	12	6	3
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	8	4	2
C. Violent sex offender, fail to register or provide false info. (1 count)	8	4	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	16	8	4
E. Failure to appear in court for felony offense (1 count)	32	16	8
F. Escape from correctional facility (1 count)	40	20	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	32	16	8
K. Participation in offense by/for gang (1 count)	84	42	21
L. Participation in offense by/for gang with juvenile member (1 count)	104	52	26

Primary Offense Additional Counts

Maximum Penalty:	5, 10	1
(years)		

Additional Offenses

Years:	Less than 5	0
	5, 10	1
	20	2
	30	3
	40 or more	5

Firearm Used or Brandished

If YES, add 2 →

Victim Injury

Threatened or emotional	2
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Miscellaneous/Other
sentencing guidelines for
anyone sentenced on or after
July 1, 2011

Miscellaneous/Other Section B

Primary Offense

A. Perjury, falsely swear an oath (1 count)	7
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	7
C. Violent sex offender, fail to register or provide false information (1 count)	8
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	9
E. Failure to appear in court for felony offense (1 count)	10
F. Escape from correctional facility (1 count)	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	7
H. Participation in offense by/for gang (1 count)	7
I. Participation in offense by/for gang with juvenile member (1 count)	8

Score

--	--

Primary Offense Additional Counts

.....	2
.....	3
.....	4
.....	5
.....	6

0	
---	--

.....
Total the maximum penalties for additional offenses, including counts

.....	0
.....	2
.....	3
.....	4
.....	5
.....	6

0	
---	--

emotional or physical	2
cal	3

--	--

Time of Offense If YES, add 1 →

0	
---	--

OR ONLY IF PRIMARY OFFENSE IS SEX OFFENDER REGISTRY VIOLATION (§ 18.2-472.1)

Commitments If YES, add 1 →

0	
---	--

NG FACTOR ONLY IF PRIMARY OFFENSE IS A GANG OFFENSE (§ 18.2-46.2)

.....
Total score

Assault (Felony or Misdemeanor) 1



VIRGINIA SENTENCING GUIDELINES

VIRGINIA CRIMINAL SENTENCING COMMISSION



The Miscellaneous worksheet has been split into two groups: Person & Property and Other. This split will not modify the sentencing guidelines recommendation for any offender.



Miscellaneous Worksheet Split

For Offenders Sentenced on July 1, 2011 and After
Offenses Have Been Split Into Two Groups

Person & Property

- Child Abuse
- Vandalism
- Arson
- Extortion/Threats

Other

- Failure to Appear
- Perjury
- Prisoner
- Escape
- Gang
- Sex Offender Registry

The two new worksheets are located behind the Miscellaneous tab in the manual. The Miscellaneous/Person & Property worksheet is followed by a divider sheet and then the Miscellaneous/Other worksheet. The recommendation table for Section C for both worksheets is located at the back of the section.

Miscellaneous/Person & Property

Relevant Code of Virginia Statutes	Relevant Virginia Crime Codes (VCC)
18.2-22	Use VCC for actual offense and change "F" to "C" in the code.
18.2-26	Use VCC for actual offense and change "F" to "A" in the code.
18.2-60(A,1)	EXT-2106-F6 (1-5 yrs.)
18.2-77(A,i)	ARS-2003-F9 (5 yrs.-life)
18.2-77(B)	ARS-2005-F4 (2-10 yrs.)
18.2-81	ARS-2018-F4 (2-10 yrs.)
18.2-83	ARS-2023-F5 (1-10 yrs.)
18.2-137(B,ii)	VAN-2956-F6 (1-5 yrs.)
18.2-154	VAN-2939-F4 (2-10 yrs.)
18.2-371.1(A)	FAM-3806-F4 (2-10 yrs.)
18.2-371.1(B)	FAM-3808-F6 (1-5 yrs.)
40.1-103	FAM-3810-F6 (1-5 yrs.)

As of July 1, 2011, the Miscellaneous worksheet is split into two groups.

The scores for the factors have not changed and the recommendation will be the same.

Miscellaneous/Other See page 11 of this section ❖

Relevant Code of Virginia Statutes	Relevant Virginia Crime Codes (VCC)
18.2-22	Use VCC for actual offense and change "F" to "C" in the code.
18.2-26	Use VCC for actual offense and change "F" to "A" in the code.
18.2-46.2	MOB-1291-F5 (1-10 yrs.) MOB-1292-F4 (2-10 yrs.)
18.2-434	PER-5017-F5 (1-10 yrs.)
18.2-472.1	SOR-3657-F6 (1-5 yrs.) SOR-3659-F6 (1-5 yrs.) SOR-3660-F5 (1-10 yrs.)
19.2-128	FTA-5019-F6 (1-5 yrs.)
53.1-203(1)	ESC-4921-F6 (1-5 yrs.)
53.1-203(6)	PRI-3261-F5 (1-10 yrs.)

Conspiracies or attempts to commit the offenses appearing in the above table are applicable guidelines offenses. A worksheet should be completed.

If the statute number and VCC for the primary offense do not appear on this table, sentencing guidelines do not apply. No worksheets should be completed.

Miscellaneous ❖ Section A

Offender Name: Old

◆ Primary Offense

A. Burn unoccupied dwelling/church (1 count).....

B. Burn occupied dwelling/church (1 count).....

C. Burning of personal property, standing grain, etc., value \$200 or more

1 count.....

2 counts.....

D. Threatening to bomb, burn or explode (1 count).....

E. Threat by letter, communication or electronic message (1 count).....

F. Child neglect/abuse, serious injury

1 count.....

2 counts.....

G. Gross, reckless care of child (1 count).....

H. Cruelty and injury to child (1 count).....

I. Failure to appear in court for felony offense

1 count.....

2 counts.....

J. Perjury, falsely swear an oath (1 count).....

K. Possession or sale of Schedule III drug or marijuana by prisoner (1 count).....

L. Escape from correctional facility (1 count).....

M. Maliciously shoot, throw missile at train, car, etc. (1 count).....

N. Damage/destroy any property or monument \$1,000 or more (1 count).....

O. Participation in offense by/for gang (1 count).....

P. Participation in offense by/for gang with juvenile member (1 count).....

6

6

2

6

1

3

3

7

2

1

4

1

3

7

1

2

5

6

Score

0

◆ Primary Offense Additional Counts

Total the maximum penalties for counts of the primary not scored above

Years: 5-7.....

8-18.....

19-28.....

29-38.....

39 or more.....

1

2

3

4

5

0

◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

Years: Less than 1.....

1-7.....

8-18.....

19-28.....

29-38.....

39 or more.....

0

1

2

3

4

5

0

◆ Victim Injury

Primary offense with VCC prefix "FAM"

Points

Threatened, emotional, or physical.....2

Serious physical.....5

Primary offense with VCC prefix OTHER THAN "FAM"

Points

Threatened, emotional, or physical.....1

Serious physical.....2

0

◆ Mandatory Firearm Conviction for Current Event

If YES, add 6

0

◆ Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 2.....

2-38.....

39 or more.....

0

1

2

0

◆ Prior Incarcerations/Commitments

If YES, add 4

0

◆ Legally Restrained at Time of Offense

Primary offense felony vandalism-damage to property \$1,000 or more

Points

Any legal restraint.....1

Primary offense OTHER THAN felony vandalism-damage to property \$1,000 or more

Points

None.....0

Other than post-incarceration supervision.....2

Post-incarceration supervision.....5

0

◆ Score only if the Primary Offense is:

Damage to Property \$1,000 or more (§ 18.2-137(B, ii))

◆ Prior Vandalism Conviction/Adjudication

Points

Misdemeanor vandalism.....1

Felony vandalism.....2

Both felony and misdemeanor vandalism.....3

Gang Offense (§ 18.2-46.2)

◆ Violent Additional or Prior Record Conviction/Adjudication (as defined in § 17.1-805)

Points

Yes.....2

No.....0

0

Total Score

If total is 8 or less, go to Section B. If total is 9 or more, go to Section C.

Miscellaneous/Person & Property ❖ Section A

◆ Primary Offense

A. Burn unoccupied dwelling/church (1 count).....

B. Burn occupied dwelling/church (1 count).....

C. Burning of personal property, standing grain, etc., value \$200 or more

1 count.....

2 counts.....

D. Threatening to bomb, burn or explode (1 count).....

E. Threat by letter, communication or electronic message (1 count).....

F. Child neglect/abuse, serious injury

1 count.....

2 counts.....

G. Gross, reckless care of child (1 count).....

H. Cruelty and injury to child (1 count).....

I. Maliciously shoot, throw missile at train, car, etc. (1 count).....

J. Damage/destroy any property or monument \$1,000 or more (1 count).....

6

6

2

6

1

3

3

7

2

1

1

1

2

Score

0

◆ The scores have not changed and the recommendation remains the same.

◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

Years: Less than 1.....

1-7.....

8-18.....

19-28.....

29-38.....

39 or more.....

0

1

2

3

4

5

0

◆ Victim Injury

Primary offense with VCC prefix "FAM"

Points

Threatened, emotional, or physical.....2

Serious physical.....5

Primary offense with VCC prefix OTHER THAN "FAM"

Points

Threatened, emotional, or physical.....1

Serious physical.....2

0

◆ Mandatory Firearm Conviction for Current Event

If YES, add 6

0

◆ Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 2.....

2-38.....

39 or more.....

0

1

2

0

◆ Prior Incarcerations/Commitments

If YES, add 4

0

◆ Legally Restrained at Time of Offense

Primary offense felony vandalism-damage to property \$1,000 or more

Points

Any legal restraint.....1

Primary offense OTHER THAN felony vandalism-damage to property \$1,000 or more

Points

None.....0

Other than post-incarceration supervision.....2

Post-incarceration supervision.....5

0

◆ SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS FELONY VANDALISM DAMAGE TO PROPERTY \$1,000 OR MORE

◆ Prior Vandalism Convictions/Adjudications

Misdemeanor vandalism.....

Felony vandalism.....

Both felony and misdemeanor vandalism.....

1

2

3

0

Total Score

If total is 8 or less, go to Section B. If total is 9 or more, go to Section C.

Miscellaneous/Person & Property 3



VIRGINIA SENTENCING GUIDELINES

VIRGINIA CRIMINAL SENTENCING COMMISSION



A new rule requires that when there are multiple mandatory minimums in a sentencing event, the preparer must assume that the sentences run consecutive to one another when entering the guidelines recommendation.



Mandatory Minimums

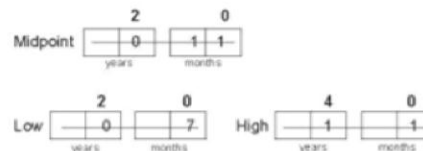
New rule for multiple counts with mandatory minimums

Old

Multiple Counts

If an event contains multiple counts of an offense with a mandatory minimum, the guidelines recommendation must reflect the possibility that the court may run sentences for the mandatory minimums concurrently or consecutively to each other. Because it is up to the judge to interpret each individual statute's language, the guidelines preparer will prepare the guidelines to reflect both possibilities - that multiple mandatory minimums may be run concurrent or consecutive to each other. Therefore, the guidelines recommendation must reflect both. The minimum recommendation and midpoint must at least reflect the mandatory minimum sentence should the court run the sentences concurrently. The high recommendation must at least reflect the mandatory minimum sentence should the court run the mandatory sentences consecutively. If the guidelines recommendation exceeds the mandatory minimum, no modifications need to be made.

EXAMPLE: For an offender convicted of two counts of possession of a firearm by a nonviolent offender (within 10 years), WPN-5297-F6 § 18.2-308.2(A), the guidelines recommendation is a sentence with a midpoint of 11 months and a range between 7 months and 1 year 1 month. Each count requires a mandatory minimum sentence of 2 years. The sentence would be 2 years if the mandatory terms are run concurrently with one another, and 4 years if the mandatory terms are run consecutively. In this case, the midpoint is increased to 2 years and the range is 2 years to 4 years.



☒ Recommendation Adjusted for Mandatory Minimum

Beginning July 1, 2011, preparers must assume that all mandatory minimums in a sentencing event run consecutive to one another. If any part of the sentencing guidelines range (i.e., low end, high end or midpoint) is below the sum of all the mandatory sentences in the event, that part of the range must be adjusted up to reflect the total mandatory time.

(Please see example on the next slide).



Mandatory Minimums

Example of multiple counts with mandatory minimums

If the Sentencing Guidelines Recommendation Is:

Section C

☐ Life Sentence

☐ Incarceration (Enter Midpoint and Range Below)

Range Midpoint

Sentence Range TO

☐ Recommendation Adjusted for Mandatory Minimum

Assume the mandatory minimums run consecutive to one another:
 $2 + 2 = 4$ Years.

Any part of the recommendation below 4 years needs to be adjusted up.

And Listed Below are the Offenses in the Sentencing Event:

- § 18.2-255: Sell less than 1 ounce marijuana to a minor
 - NAR-3063-F9
 - 2 Years Mandatory
- § 18.2-308.2(A): Possession of firearm by nonviolent offender (within 10 years)
 - WPN-5297-F6
 - 2 Years Mandatory

How would you adjust the guidelines recommendation to reflect the mandatory minimums in the sentencing event? (Click enter for the answer)

Crime was Witnessed by or Committed in the Presence of a Child

- ☐ Please check box if any crime(s) in current event were witnessed by or committed in the presence of a minor child (age 17 or under).
A child is present if he or she is within sight or sound of the offense when it occurs. This information is for research purposes only.

4 METHOD OF ADJUDICATION

- ☐ Jury Trial Sentence Set by Jury: Years Months Days ☐ Life ☐ Juvenile ☐ Fine Only
- ☐ Bench Trial ☐ Guilty Plea ☐ Alford Plea/Nolo contendere

5 SENTENCING GUIDELINES RECOMMENDATIONS

Section B

- ☐ Probation/No Incarceration
☐ Incarceration 1 Day to 3 Months
☐ Incarceration 1 Day to 6 Months
☐ Incarceration 3 to 6 Months
☐ Probation/No Incarceration or Incarceration to 6 Months

Section B

Mandatory Minimum _____

Section C

- ☐ Life Sentence
☐ Incarceration (Enter Midpoint and Range Below)

Range Midpoint 1 1 Days

Sentence Range 1 6 5 TO 2 1 Days

☒ Recommendation Adjusted for Mandatory Minimum

Guidelines recommendations do not include days. However, some mandatory minimums in an event do include mandatory days. To accommodate this possibility, the Section C Recommendation now includes lines to enter number of days. Only enter days for those rare occasions when the sum of all mandatory minimums in an event exceeds any part of the guidelines recommendation by days.

For example, if the event includes:

- Drive after license revoked for DWI, with 1 year mandatory (§ 46.2-391)
- 3rd DWI with a child as a passenger with 6 months and 5 days mandatory (§ 18.2-266)

Since the low end of the guidelines range is one year, the low end of the range must reflect the sum of all mandatory minimums: 1 year 6 months and 5 days.

(Click enter to display the correct low end)



VIRGINIA SENTENCING GUIDELINES
VIRGINIA CRIMINAL SENTENCING COMMISSION



A legislative change to § 17.1-805 removes possession of a firearm on school property, a violation of § 18.2-308.1(B), and a third or subsequent misdemeanor conviction under this same statute from the list of Category I/II (violent) offenses.

As of July 1, 2011*, these two offenses will be removed from the list of Category I/II violent offenses.

Until then, continue to classify all offenders with a prior conviction for either offense as Category II.

* For anyone sentenced July 1, 2011 and after

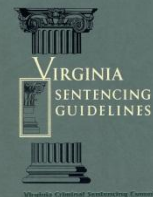
<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>
VIOLENT ACTIVITIES			
Paramilitary activity to cause disorder, teach, assemble for	VIO-5331-F5	18.2-433.2	1Y-10Y (II)
WEAPONS			
Ammunition			
Restricted firearm ammunition use in crimes	WPN-5233-F5	18.2-308.3	1Y-10Y (II)
Brandish			
Brandish or point firearm; 3rd conviction	WPN-5274-F6	18.2-282(A)	1Y-5Y (II)
Building			
Discharge firearm, missile in/at occupied bldg, unlawfully	WPN-5242-F6	18.2-279	1Y-5Y (II)
Discharge firearm, missile in/at occupied bldg., maliciously	WPN-5229-F4	18.2-279	2Y-10Y (II)
Criminal History Checks			
Purchase firearm - provide to ineligible person	WPN-5283-F5	18.2-308.2:2(M,i)	1Y-10Y (II)
Solicit by ineligible person, violation of §18.2-308.2:2(M)	WPN-5286-F5	18.2-308.2:2(N)	1Y-10Y (II)
Transport firearm out of state - provide to ineligible person	WPN-5284-F5	18.2-308.2:2(M,ii)	1Y-10Y (II)
Felon			
Convicted felon (non-violent > 10 yrs) possess/transport firearm, etc.	WPN-5291-F6	18.2-308.2(A)	1Y-5Y (II)
Convicted felon (non-violent w/in 10yr) possess/transport firearm, etc.	WPN-5297-F6	18.2-308.2(A)	1Y-5Y (II)
Convicted felon (violent) possess/transport firearm, taser, etc.	WPN-5296-F6	18.2-308.2(A)	1Y-5Y (II)
Convicted felon possess other weapon, explosives or ammunition	WPN-5298-F6	18.2-308.2(A)	1Y-5Y (II)
Sell, give firearm to designated felon	WPN-5218-F6	18.2-308.2:1	1Y-5Y (II)
Machine Guns			
Possession for offensive or aggressive purposes	WPN-5226-F4	18.2-290	2Y-10Y (II)
Possession in perpetration of crime	WPN-5227-F2	18.2-289	20Y-Life (I)
Purchase			
Provide > 1 firearm to ineligible person through purchase/trans.	WPN-5285-F5	18.2-308.2:2(M)	1Y-10Y (II)
Remotely Controlled			
Spring gun or deadly weapon, remotely controlled	WPN-5238-F6	18.2-281	1Y-5Y (II)
Sawed-off Shotguns			
Possession in perpetration of violent crime	WPN-5261-F2	18.2-300(A)	20Y-Life (I)
Schools			
Brandish/point firearm on school property or w/in 1000 feet	WPN-5258-F6	18.2-282(A)	1Y-5Y (II)
Discharge firearm upon buildings or grounds	WPN-5200-F4	18.2-280(B)	2Y-10Y (II)
Discharge firearm within or at occupied school	WPN-5255-F4	18.2-279	2Y-10Y (II)
Firearm, possess on school property	WPN-5252-F6	18.2-308.1(B)	1Y-5Y (II)
Firearm, use or attempt to on school property	WPN-5300-F9	18.2-308.1	5Y-5Y (II)
Stungun, knife, non-firearm poss. on school prop. 3rd conv	WPN-5270-F6	18.2-308.1(A)	1Y-5Y (II)
Tear Gas			
Malicious release of dangerous gas resulting in injury	WPN-5239-F3	18.2-312	5Y-20Y (II)
Unlawful release of dangerous gas resulting in injury	WPN-5240-F6	18.2-312	1Y-5Y (II)
Vehicle			
Discharge firearm from motor vehicle	WPN-5248-F5	18.2-286.1	1Y-10Y (II)



VIRGINIA SENTENCING GUIDELINES
VIRGINIA CRIMINAL SENTENCING COMMISSION

New Laws

What's New 2011



Virginia Criminal Sentencing Commission



New Laws

*Selected Laws Effective July 1, 2011 **

- § 3.2-6503.1 - Inadequate care of agricultural animals
- § 19.2-48 - Kidnapping for the purpose of:
prostitution or child pornography
- § 18.2-57(E) - Assault on health care worker
- § 18.2-60.4 - Protective orders
- § 18.2-248.1:1 - Synthetic marijuana (effective 3/23/2011)
§ 18.2-255
§ 18.2-255.2 et al.
- § 18.2-356 - Procuring person for forced labor, to manufacture
porn, or to engage in prostitution
- § 44-41.1 - Failure to report to Virginia National Guard
- § 54.1-534 - Prohibited conduct by athlete agent

** Please refer to the 2011 VCC Book for a list of all criminal offenses.
New laws are not covered by sentencing guidelines.*



VIRGINIA SENTENCING GUIDELINES
VIRGINIA CRIMINAL SENTENCING COMMISSION

Additional Information



VIRGINIA
SENTENCING
GUIDELINES



Virginia Criminal Sentencing Commission



Information

- Contact staff of the Commission by phone from 7:30AM to 5:30PM (Monday – Friday) **804.225.4398**
- Contact Staff by Email. Email addresses are posted on the Commission's Website: **www.vcsc.virginia.gov**.
- Sentencing Guidelines worksheets are available on the Commission's website: **www.vcsc.virginia.gov**
- Manuals, VCC books and updates will be shipped in late June.
 - An order form for the 14th edition of *Virginia's Sentencing Guidelines* is available on the Commission's website.
 - Judges, Commonwealth's Attorneys, Public Defenders and Probation Officers will automatically be shipped updates based on the number requested last year.





VIRGINIA SENTENCING GUIDELINES
VIRGINIA CRIMINAL SENTENCING COMMISSION

2011 Seminars

ADVANCED

SENTENCING GUIDELINES TOPICS & ETHICAL HYPOTHETICALS

6 Hours – (9:30 AM to 5:00 PM)

2011

SEMINARS

Approved 6 CLE (1 Ethics)

• **Purpose:** The advanced seminar is designed for the experienced guidelines user. It is recommended that participants attend the "Introduction to Sentencing Guidelines" seminar before taking this seminar or have substantial experience completing Virginia's sentencing guidelines. The ethics portion is designed to address scenarios presented to the Commission involving the ethical use of sentencing guidelines. The seminar is designed for all guideline users including judges, attorneys, probation officers and other interested staff.

• **Structure:** This seminar is a participatory workshop and requires participants to utilize critical thinking skills to evaluate complex sentencing guidelines issues. The seminar will consist of lecture, group discussion and a significant amount of hands-on activities.

As part of the registration process, participants will be requested to submit a question to be answered during the seminar.

• **Topics:** Participants will address issues related to primary offense selection, purity level of cocaine, defining victim injury, identifying weapons, out-of-state convictions, expunged juvenile records, elements of legal restraint, venue changes, guidelines strategies and other questions provided by participants. Leslie Haley, Ethics Counsel with the Virginia State Bar, will lead the discussion and answer questions related to defense counsels' and prosecutors' ethical responsibilities in calculating sentencing guidelines.

• **Cost: \$125. Purchase manual separately.**

MAY 25 – CHESAPEAKE (# 430)

Sheriff's Office

401 Albemarle Drive

□ 9:30 – 5:00 Advanced / Ethics

JUNE 2 – ROANOKE (# 432)

Roanoke Higher Education Center

108 North Jefferson Street

□ 9:30 – 5:00 Advanced / Ethics

JULY 7 – FAIRFAX (# 434)

Fairfax County Government Center

12000 Government Center Parkway

□ 9:30 – 5:00 Advanced / Ethics

JULY 27 – RICHMOND (# 435)

Henrico County Training Center

7701 E. Parham Road

□ 9:30 – 5:00 Advanced / Ethics

AUGUST 17 – ABINGDON (# 437)

Southwest VA Higher Education Center

One Partnership Circle

□ 9:30 – 5:00 Advanced / Ethics

SEPTEMBER 1 – WILLIAMSBURG (# 438)

National Center for State Courts

300 Newport Avenue

□ 9:30 – 5:00 Advanced / Ethics

SEPTEMBER 14 – WINCHESTER (# 439)

Shenandoah University

20 South Cameron Street

□ 9:30 – 5:00 Advanced / Ethics

OCTOBER 6 – ASHBURN (# 440)

Northern Virginia

Criminal Justice Training Academy

45299 Research Place

□ 9:30 – 5:00 Advanced / Ethics

OCTOBER 12 – PORTSMOUTH (# 442)

Dept. of Social Services

1701 High Street

□ 9:30 – 5:00 Advanced / Ethics

OCTOBER 18 – RICHMOND (# 443)

Henrico County Training Center

7701 E. Parham Road

□ 9:30 – 5:00 Advanced / Ethics

OCTOBER 26 – LYNCHBURG (# 445)

Central VA Community College

3506 Wards Road

□ 9:30 – 5:00 Advanced / Ethics

A "What's New 2011" seminar is not being offered this year. Please go to www.vcsc.virginia.gov for a presentation on this year's changes.

INTRODUCTION TO SENTENCING GUIDELINES

6 Hours – (9:30 AM to 5:00 PM)

Approved 6 CLE

• **Purpose:** The introduction seminar is designed for the attorney or criminal justice professional who is new to Virginia's sentencing guidelines.

• **Topics:** The seminar will begin with general background information and progress to detailed information on scoring each of the guidelines factors.

• **Cost: \$125. Purchase manual separately.**

□ MAY 24 – CHESAPEAKE (# 429)

Sheriff's Office

401 Albemarle Drive

□ JUNE 1 – ROANOKE (# 431)

Roanoke Higher Education Center

108 North Jefferson Street

□ JUNE 15 – RICHMOND (# 450)

Henrico Training Center

7701 E. Parham Road

□ JULY 6 – FAIRFAX (# 433)

Fairfax County Government Center

12000 Government Center Parkway

□ AUGUST 16 – ABINGDON (# 436)

Southwest VA Higher Education Center

One Partnership Circle

□ OCTOBER 11 – PORTSMOUTH (# 441)

Dept. of Social Services

1701 High Street

□ OCTOBER 25 – DANVILLE (# 444)

Regional Center for Advanced Technology

121 Slayton Avenue

□ NOV. 17 – CHARLOTTESVILLE (# 446)

VA Transportation Research Council

530 Edgemont Road

□ NOVEMBER 30 – FAIRFAX (# 447)

Fairfax County Government Center

12000 Government Center Parkway

□ DECEMBER 8 – RICHMOND (# 448)

Henrico Training Center

7701 E. Parham Road

□ DECEMBER 13 – ROANOKE (# 449)

Roanoke Higher Education Center

108 North Jefferson Street

FAX: 804.786.3934 ♦ PHONE: 804.225.4398

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□ Mr. □ Ms. □ Mrs. □ _____

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Phone: _____

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14th Edition Manual Selection (Effective July 1, 2011)

□ Update from 13th Edition (July 2010).....\$35.⁰⁰

□ Update from 12th or earlier Edition.....\$75.⁰⁰

□ Complete Manual with Binder & Tabs.....\$150.⁰⁰

2011 Seminar Selection (Directions will be mailed.)

A Sentencing Guidelines Manual is required for the seminars

□ Advanced & Ethics.....Seminar #.....\$125.⁰⁰

□ Intro to Guidelines.....Seminar #.....\$125.⁰⁰

MAIL TO: Total Enclosed: \$ _____

Virginia Criminal Sentencing Commission

100 N. 9th Street – 5th Floor

Richmond, VA 23219

Make Checks Payable to the Treasurer of Virginia

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